

## **RESOLUTION NO. .**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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### **RESOLUTION AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO EXECUTE AND ACCEPT AN EASEMENT FOR THE PUBLIC RIGHT-OF-WAY AND ASSOCIATED MAINTENANCE AGREEMENT TO CREATE A 10-FOOT-WIDE SIDEWALK LOCATED AT 2821 EL CAMINO REAL**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, 2821 El Camino Real, L.P. (“Owner”) is the owner in fee of real property located at 2821 El Camino Real (APN 054-284-360) in the unincorporated North Fair Oaks area of San Mateo County (the “Property”), and the Owner proposes to develop a new 67-unit 100% affordable housing complex on the Property; and

**WHEREAS**, California Government Code Section 7050 authorizes an irrevocable offer of dedication of real property for any public purpose, and California Government Code Section 27281 provides that the County shall accept such an irrevocable offer of dedication by execution of a certificate of acceptance; and

**WHEREAS**, to satisfy the requirements of the applicable Commercial Mixed Use (CMU-1) Zoning Regulations, the Owner has made an irrevocable offer to dedicate a 570 sq. ft. (3-foot to 5-foot wide) portion of the Property abutting El Camino Real to the County for sidewalk and public right-of-way purposes (“Offer of Dedication”); and

**WHEREAS**, County staff has reviewed the Offer of Dedication and determined that it is satisfactory and ready for acceptance upon construction of the required sidewalk; and

**WHEREAS**, the acceptance of the Offer of Dedication for public right-of-way purposes is exempt from environmental review pursuant to section 15061(b)(3) of the Guidelines promulgated under the California Environmental Quality Act, as an action that has no potential to cause a significant effect on the environment; and

**WHEREAS**, the Board has heard from all persons interested in the proposed sidewalk easement and considered all the evidence presented:

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED AS FOLLOWS:**

1. The Board of Supervisors hereby finds and determines that the recitals above are true and correct and are hereby incorporated into this resolution as though fully set forth herein;
2. The Board of Supervisors hereby finds and determines that the acceptance of the dedication for sidewalk and public right-of-way purposes is exempt from environmental review pursuant to the California Environmental Quality Act, Guidelines Section 15061(b)(3); no potential for causing a significant effect on the environment, therefore, not subject to CEQA;

3. That, based on evidence presented at the board meeting, including but not limited to, the staff report, the Board of Supervisors finds the offer of the subject sidewalk easement herein described to be in conformity with the County General Plan and North Fair Oaks Community Plan and to be in the public interest;
4. The Board of Supervisors hereby authorizes and directs the Community Development Director to execute the Irrevocable Offer of Dedication of Easement for the Public Right-of-Way to the County of San Mateo and Maintenance Agreement, and to execute the Certificate of Acceptance attached to said irrevocable offer on behalf of the County after the following condition has been fulfilled: that the Director of Public Works or his designee, determines that the subject sidewalk has been construction in a satisfactory manner;
5. That the Clerk of this Board of Supervisors shall cause a certified copy of this Resolution, properly attested by the Clerk under seal, and any such other legal documents and instruments as may be necessary or convenient to establish and accept the sidewalk easement, to be recorded in the Office of the San Mateo County Recorder; and
6. That upon recordation of the Certificate of Acceptance, the easement shall be accepted and complete.

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